

Great Western Lumber Company  
P.O. Box 159  
Everson, WA 98247

(360) 966-3061

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Industrial Stormwater Comments.

After attending the Mount Vernon workshop and a brief review of the Draft Stormwater General Permit summaries we would like to submit the following comments for consideration. Time constraints will not allow a through review of the entire draft or detailed responses, but only some general comments.

The draft is similar to other regulation through its inability to recognize the diverse conditions found at each industrial site and allowing businesses the flexibility through adaptive management to meet community water quality standards. The draft permit imposes one size fits all rules for all businesses in the state with little local flexibility. At our site turbidity is the most difficult pollutant to manage and probably impossible to get below the present benchmark. Our stormwater runs into a county road ditch for a 1/4-mile then through a farm drainage ditch before reaching Breckenridge Creek. These ditches are heavily vegetated and provide an excellent filter. The rules do not give the opportunity to see if any of our potential pollutants could even reach a stream. We feel that some type of mixing zone consideration should be made available again. Breckenridge Creek only flows a short distance before it enters the Sumas River. The Sumas River has serious long-term water quality problems for a large naturally occurring landslide. This is another example where private businesses are required to have their stormwater cleaner than what the "waters of the state" provide. Also, the Sumas River goes into the Fraser River and not Puget Sound. This should help illustrate the need for flexible site specific practical, stormwater rules.

Sampling: Proposed wet season procedures to sample 5 storm events and do 7 monthly observation reports sounds simple, but for a small business with limited staff resources it is not. I know how hard sampling once a quarter was and the new proposal will require an increased burden of employee time and testing costs.

Benchmarks: We have always been concerned with the almost unrealistic low benchmark values. They do not seem real world but a regulator goal. At the hearing I got the feeling that as the industry median got close to a particular benchmark then the DOE response might be to set them lower. We strongly disagree with the proposal to base the metals benchmark on the median of the DMR data. That puts half of all business out of compliance immediately. Also brought up at the hearing was the contribution of metals to stormwater from the rainwater. Benchmarks need to be realistic in protecting water quality.

Transition: It appears that the transition between permits for those businesses struggling with compliance will have the compliance noose even tighter. If I understand the proposal correctly those who are presently at a level 2 would go to step A and level 3 to step B. That seems very aggressive and not allowing needed time for new sampling and implementation of corrective actions.

Step B engineering report: Here again the lack of flexibility and available options will make compliance very costly for businesses. Needed flexibility to the engineering report may be an option of utilizing a combination of engineering, employee experience and technical assistance from DOE and other agencies or businesses.

Respectfully submitted,

Tom Westergreen  
Great Western Lumber  
Resource Manager